

NOV-01-2005 TUE 02:24 PM CANTOR COLBURN LLP

FAX NO. 8602860115

P. 02

B

Appl. No. 10/709,175  
Docket No. 146442/GEM-0120

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.: 10/709,175 : Confirmation No.: 3174  
Applicant: Habib Vafi : Group Art Unit: 2833  
Filed: April 19, 2004 : Examiner: Gilman, Alexander  
Docket No.: 146442/GEM-0120 :

For: ELECTRONIC ASSEMBLY, AND APPARATUS AND METHOD FOR THE  
ASSEMBLY THEREOF

October 25, 2005

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE


Sir:

Provided herewith are comments on the Examiner's Statement of Reasons for  
Allowance presented in the Notice of Allowance dated August 2, 2005.

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class  
Mail in an envelope, or Express Mail No. \_\_\_\_\_, addressed to: Mail Stop \_\_\_\_\_,  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to (571) 273-2885 \_\_\_\_\_  
at the United States Patent and Trademark Office, on the date shown below.

Patricia DiGregorio  
Name

  
Signature

November 1, 2005  
Date

Appl. No. 10/709,175  
Docket No. 146142/GEM-0120

The Examiner remarks that no prior art has been found to anticipate or render obvious the presently claimed subject matter. More specifically, the Examiner remarks that none of the prior art of record discloses the combination of the limitations presented including the specified geometrical relationships between the cavities (pockets) and projections of the respective layers when the array of the backlit photodiodes is non-separably assembled to the substrate. Paper No. 07222005, page 2.

While Applicant agrees that presented claims pertain to allowable subject matter, Applicant respectfully submits that to the extent that the Examiner's remarks suggest or state that certain limitations or combinations not found in the prior art are present in each and every allowable claim, whether or not specific language to that effect is found in every allowable claim, the record as a whole must be considered in addition to the Examiner's remarks, and, to the extent that the record as a whole is clear and complete, it shall control the interpretation of any and all allowable claims.

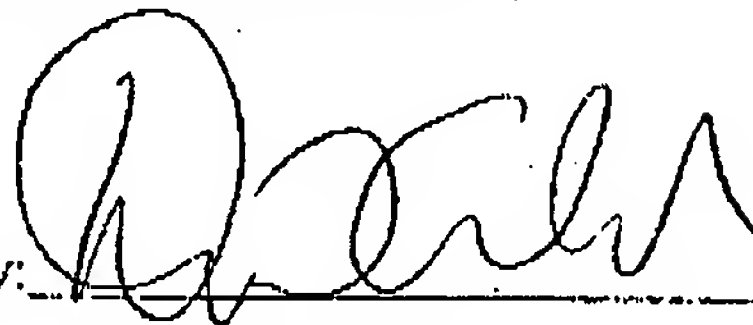
More specifically, the Examiner's statement of reasons may imply that features found in the specification only, in the dependent claims only, or in some but not all independent claims only, are part of all of the allowable claims, when in fact the record clearly reflects that there are claims not so limited. For example, elements may be found in one claim but not in another. Accordingly, the other claims, and claims dependent from the other claims that do not recite the same as the one claim, are not so limited. As a further example, allowed independent Claim 1 recites depth d, gap g, and length h, to define the geometrical relationship between the cavities (pockets) and projections of the respective layers. However, these limitations are not recited in independent Claims 35 and 36. Accordingly, these claims, and claims dependent from these claims that do not recite the same, are not so limited.

Appln. No. 10/709,175  
Docket No. 146442/GEM-0120

Respectfully submitted,

CANTOR COLBURN LLP

Applicant's Attorneys

By: 

David Arnold  
Registration No: 48,894  
Customer No. 23413

Address: 55 Griffin Road South, Bloomfield, Connecticut 06002  
Telephone: (860) 286-2929  
Fax: (860) 286-0115



CANTOR COLBURN LLP  
INTELLECTUAL PROPERTY ATTORNEYS  
55 Griffin Road South  
Bloomfield, CT 06002  
tel: (860) 286-2929  
fax: (860) 286-0115

---

**FACSIMILE TRANSMITTAL SHEET**

---

DATE: November 1, 2005

TO: ISSUE FEE

COMPANY: U.S. PATENT AND TRADEMARK OFFICE

FAX NO.: (571) 273-2885

TEL. NO.:

FROM: Pat DiGregorio (Cantor Colburn LLP)

OUR REF: GEM-0120

YOUR REF: USSN 10/709,175

(146442CT)

TOTAL NUMBER OF PAGES SENT  
(INCLUDING THIS COVER SHEET): 4

**COMMENTS: TO WHOM IT MAY CONCERN:**

The Issue Fee and Publication Fee for this case (USSN 10/709,175) was submitted on 10/31/2005. Please find enclosed "COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE" (3 Pages).

If there are any charges with regard to this submission please charge them to Deposit Account 07-0845.

Thank you,

CANTOR COLBURN LLP

If there are any problems with this transmission,  
please call (860) 286-2929 and ask for P.DiGregorio

---

IMPORTANT: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that reading, disseminating, distributing or copying this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.